



***United States Attorney
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**U.S. ACCUSES NEW YORK CITY PARKS DEPARTMENT
OF A PATTERN OF DISCRIMINATION IN PROMOTIONS**

JAMES B. COMEY, the United States Attorney for the Southern District of New York, announced today that the Government has filed a civil lawsuit in Manhattan federal court against the City of New York and the New York City Department of Parks and Recreation ("the Parks Department"), alleging that the Parks Department has violated the Civil Rights Act of 1964 by engaging in a pattern or practice of discrimination against its black and Hispanic employees on the basis of their race and/or national origin in making promotion decisions. The Government's decision to bring suit follows an investigation that it opened in September 1999, after the U.S. Attorney's Office received complaints from black and Hispanic Parks Department employees that they had suffered employment discrimination on the basis of race and national origin.

The Parks Department is responsible for operating more than 1,700 parks,

playgrounds and recreation facilities throughout the five boroughs of New York City. Parks employees manage more than 28,000 acres of land, including ballfields, playgrounds, tennis courts, swimming pools, recreation centers, beaches, golf courses, ice rinks, major stadiums, and zoos. The Parks Department employs about 2,000 workers, approximately half of whom are black or Hispanic.

The Government charges that the Parks Department has discriminated against qualified black and Hispanic employees by systematically failing to provide a fair and open selection process for promotions in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq. ("Title VII"). According to the Complaint, the Parks Department's senior managers seek out and promote whites to management positions without announcing job openings for those positions or conducting any formal interview process, all in plain disregard of the Parks Department's own stated equal employment opportunity policies. From at least 1995, blacks and Hispanics have been significantly under-represented in the Parks Department's managerial ranks according to the Complaint.

The Government's investigation also allegedly determined that in 1997, both the City of New York's Equal Employment Practices Commission and its Division of Citywide Equal Employment Opportunity directed the Parks Department to examine its promotion procedures for managerial positions due to the under-representation of blacks and Hispanics in management. Despite these directives, the Parks Department took no meaningful action, it was charged.

In its Complaint, the Government seeks, among other things, an order enjoining the defendants from engaging in discriminatory employment practices in violation of Title VII of the Civil Rights Act of 1964, and requiring that the Parks Department provide a fair, open, and competitive selection process for promotions.

Mr. COMEY stated: "Employees have a fundamental right of equal opportunity in the public workplace, no less than in the private workplace. The Government has filed this

action to vindicate that right. Employment practices that exclude people from opportunities for advancement because of their race or ethnic background cannot be tolerated anywhere."

The Government's Complaint was filed as a "related case" to Wright et al. v. Stern et al., 01 Civ. 4437 (DC), a pending lawsuit filed last year by 11 black and Hispanic current and former Parks Department employees against the City of New York and former Parks Commissioner Henry J. Stern, asserting discrimination claims under state and federal law.

Assistant United States Attorneys LISA R. ZORNBERG and RAMON E. REYES, JR. are in charge of the Government's case.

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